

Comments of the

American Association of Independent Music,
American Federation of Musicians of America and Canada,
Artist Rights Alliance,
Department for Professional Employees, AFL-CIO,
The International Alliance of Theatrical Stage Employees,
Nashville Songwriters Association International,
National Music Publishers' Association,
Recording Academy,
Recording Industry Association of America, and
Screen Actors Guild-American Federation of Television and Radio Artists

on the Request for Information
on the Development of an Artificial Intelligence (“AI”) Action Plan
Delivered via email to ostp-ai-rfi@nitrd.gov

March 14, 2025

The organizations set forth above and described in Exhibit A (“We” or the “Creative Community”) welcome this opportunity to provide comments¹ to the Office of Science and Technology Policy and the Networking and Information Technology Research and Development National Coordination Office, National Science Foundation on the request for information on the development of an AI action plan (the “Plan”).²

We applaud the Administration for stating in its January 23, 2025 Executive Order that U.S. policy is to “sustain and enhance America’s global AI dominance in order to promote human flourishing, economic competitiveness and national security.”³ Indeed, as the first Trump Administration recognized in 2020, “[t]he United States has long been a champion and defender of the core values of freedom, guarantees of human rights, the rule of law, stability in our institutions, rights to privacy, respect for intellectual property, and opportunities to all to pursue their dreams. The AI technologies we develop must also reflect these fundamental American values and our devotion to helping people.”⁴

¹ This document is approved for public dissemination. The document contains no business-proprietary or confidential information. Document contents may be reused by the government in developing the AI Action Plan and associated documents without attribution.

² 90 Fed. Reg. 9088 (Feb. 6, 2025).

³ *Removing Barriers to American Leadership in Artificial Intelligence*, Exec. Order No. 14179 (Jan. 23, 2025), § 2, <https://www.federalregister.gov/documents/2025/01/31/2025-02172/removing-barriers-to-american-leadership-in-artificial-intelligence>.

⁴ Trump Administration; *Artificial Intelligence for the American People*; Pillar Five “AI with American Values;” available at: [Artificial Intelligence for the American People](#). As President Trump recently stated in connection with the Administration’s Feb. 10, 2025 Executive Order, “[e]very policy must be geared toward that which supports the American worker, the American family, and businesses, both large and small, and allows our country to compete with other nations on a very level playing field.” *Fact Sheet: President Donald J. Trump Restores American Competitiveness and Security in FCPA Enforcement* (Feb. 10, 2025), <https://www.whitehouse.gov/fact-sheets/2025/02/fact-sheet-president-donald-j-trump-restores-american-competitiveness-and-security-in-fcpa-enforcement/>.

These values and aspirations should extend to the Plan, which in turn should promote human flourishing, respect intellectual property, reflect American values of protecting individual rights, provide for licensing in free markets, and promote both American AI innovation and human creativity at the same time. As noted below, we have several recommendations for the Plan, all of which are intended to ensure that the Plan increases economic opportunities across all sectors, supports the American worker, and allows our country to compete with other nations on a level playing field.

1. Introduction

Who We Are. We represent a wide swath of businesses, large and small, and American creative workers who rely on their ingenuity, entrepreneurship, and intellectual property rights, including copyrights and rights to name, image, likeness, and voice, to produce works and engage in activities that contribute to, define, and promote America’s culture, values, and national identity. Collectively, our members include actors, animators, artists, broadcast journalists, cinematographers, musicians, music producers, music engineers, songwriters, sound recording artists, writers, other entertainment and media professionals, and the American businesses that support them.

We are key to AI policy development and hold an important seat at the table to develop balanced policies regarding AI and its profound impact on the U.S. creative economy.

Our Contributions to the U.S. Economy. The creative community contributes significantly to U.S. economic growth, including through employment, exports and important trade surplus, and digital services and goods. According to the most recent study, the copyright industries added more than \$3.3 trillion to America’s GDP, accounting for 12.31 percent of the U.S. economy.⁵ The copyright industries accounted for 63.13 percent of the U.S. digital economy, contributing over 56.6 percent to employment in that economic sector.⁶ The copyright industries employ over 21.1 million workers.⁷ The annual compensation paid to core copyright workers is approximately 50 percent higher than the average U.S. annual wage.⁸ During the period 2020-2023, the core copyright industries outpaced U.S. economic growth almost threefold.⁹ Regarding trade, the sales of select U.S. copyrighted products in overseas markets amounted to \$272.6 billion.¹⁰ This exceeds the sales of other IP industries including pharmaceuticals, agriculture, and aerospace.¹¹

Key Principles. As with other technological developments, the U.S. creative community lives at the forefront of the evolution of AI technology. AI already serves as a tool to assist the creative process,

⁵ Stoner, Robert and Dutra, Jéssica; Secretariat Economists; *Copyright Industries and the U.S. Economy, 2024 Report*; Prepared for the International Intellectual Property Alliance; Feb. 2025; p. 1; https://www.iipa.org/files/uploads/2025/02/IIPA-Copyright-Industries-in-the-U.S.-Economy-Report-2024_ONLINE_FINAL.pdf.

⁶ Id., p. 2.

⁷ Id., p. 1.

⁸ Id.

⁹ Id.

¹⁰ Id., p. 2.

¹¹ Id.

allowing a wider range of people to express themselves creatively than ever before. The U.S. creative sector continues to invest in, develop, and adopt innovative new tools to advance the creative process. This includes working with AI technologies, from the use of machine learning to better understand user behavior and preferences to systems that assist humans in the making of their art.

This highlights a central principle that should be emphasized in any discussions concerning AI and copyright and the development of the Administration’s Plan – *progress in AI innovation and strong copyright protection are not mutually exclusive*. It is not a zero-sum game. Both must be encouraged and promoted with proper incentives and protections, especially since sophisticated foreign actors are a primary driver behind copyright theft that hurts Americans. America can and should lead the world in policies that prevent both the theft of American copyrighted works and the responsible development of AI in a fair and competitive global environment.

Consistent with this approach, we encourage the Administration to adopt the following core principles of the Human Artistry Campaign, which we support:

- (i) technology has long empowered human expression, and AI is no different;
- (ii) human created works will continue to play an essential role in our lives;
- (iii) use of copyrighted works and the use of voices and likenesses of professional performers requires authorization and free market licensing from all rights holders;
- (iv) governments should not create new copyright or other IP exemptions that allow AI developers to exploit creations without permission or compensation;
- (v) copyright should only protect the unique value of human intellectual creativity;
- (vi) trustworthiness and transparency are essential to the success of AI and protection of creators; and
- (vii) creators’ interests must be represented in policy making.¹²

With these principles in mind, we offer the following comments:

2. Comments

The Plan Should Promote Free Market Licensing for AI Training Materials.

The Plan should demand that, before AI developers and deployers deploy AI systems, they must first obtain appropriate licenses for any copyrighted works they use to train their AI models, and appropriate authorization if they use a person’s name, image, likeness, or voice in connection with such training. Consistent with U.S. law and free market principles, these licenses should be negotiated without regulation and in the free market to ensure fair value and economic competitiveness.

Many leading members of the AI technology community agree with this basic principle. Sam Altman, CEO of OpenAI, stated that “creators deserve control over how their creations are used and what happens beyond the point of them releasing it into the world,” and “the right thing is to make sure

¹² <https://www.humanartistrycampaign.com/>.

[creators] get significant upside benefit” from AI technologies.¹³ In fact, OpenAI has negotiated free market licenses for training materials from Shutterstock, the Financial Times, Associated Press, Guardian, Schibsted, Axios, Hearst, Conde Nast, News Corp., and many others.¹⁴

Indeed, as discussed further below, one U.S. District Court recently confirmed that licensing is required in order to use copyrighted content to train an AI system.¹⁵ This decision confirms that free market licensing of AI training materials is appropriate and consistent with U.S. law.¹⁶

Free market licensing of AI training materials promotes both a healthy economy and continued U.S. leadership in AI by delivering additional revenue streams for creators while providing AI companies with free market access to diverse, high-quality sets of human-created content to copy for training.¹⁷ Rights-owning companies ranging from Getty Images and Elsevier to Symphonic have licensed their materials for AI training, and companies including Microsoft, Google, and Perplexity have obtained licenses for materials to train their AI models.¹⁸ Such licensing among professional creators and AI companies is not only achievable for training all sizes of AI models and for creators of all sizes, but it also sets an example for the rest of the world and benefits the public and a variety of stakeholders in a number of ways.¹⁹ In particular, it provides rights certainty; sustains America’s cultural, intellectual, and constitutional systems through incentives to create new human made works; provides better performing AI systems by providing better quality, diverse, data-rich, human made training content; and increases reliability and trustworthiness of AI systems.²⁰

More important, free market licensing of AI training creates a symbiotic relationship between rights

¹³ See the video of the May 16, 2023 hearing of the Senate Judiciary Subcommittee on Privacy, Technology and the Law titled *Oversight of A.I.: Rules for Artificial Intelligence*, available at <https://www.c-span.org/video/?528117-1/openai-ceo-testifies-artificial-intelligence>, starting at 1:07:44.

¹⁴ Charlotte Tobitt, *Who’s suing AI and who’s signing: 14 publishers join lawsuit against start-up Cohere*, Press Gazette Future of Media, Feb. 14, 2025, <https://pressgazette.co.uk/platforms/news-publisher-ai-deals-lawsuits-openai-google/>.

¹⁵ *Thomson Reuters Enter. Ctr. GmbH v. Ross Intel. Inc.*, 2025 U.S., Dist. LEXIS 249296 (Del.D.C. Feb. 11, 2025).

¹⁶ Several other cases are currently pending against various AI companies for infringing U.S. copyrights in connection with either the training of their AI systems and/or the AI system outputs. See, e.g., Charlotte Tobitt, *Who’s suing AI and who’s signing: 14 publishers join lawsuit against start-up Cohere*, Press Gazette Future of Media, Feb. 14, 2025, <https://pressgazette.co.uk/platforms/news-publisher-ai-deals-lawsuits-openai-google/>. We anticipate those cases will ultimately be decided on similar grounds.

¹⁷ In fact, this may lead to a U.S. competitive advantage due to U.S. AI companies’ relationships, funding, and better ability to license high quality training materials produced by U.S. companies as compared to the ability of foreign AI companies to license such high quality training materials or having to resort to lesser quality training materials.

¹⁸ Ina Fried, *Exclusive: New partnership aims to help doctors harness AI to diagnose patients*, Axios, Nov. 15, 2023, <https://www.axios.com/2023/11/15/ai-doctor-medical-diagnosis-elsevier-openevidence>; Marty Swant, *Why Getty Images and Picsart are partnering to train a new AI image model*, Digiday, June 14, 2024, <https://digiday.com/media/why-getty-images-and-picsart-are-partnering-to-train-a-new-ai-image-model/>; Stuart Dredge, *Symphonic opens its catalogue up for licensed AI training*, Music:Jally, Aug. 21, 2024, <https://musically.com/2024/08/21/symphonic-opens-its-catalogue-up-for-licensed-ai-training/>; Charlotte Tobitt, *Who’s suing AI and who’s signing: 14 publishers join lawsuit against start-up Cohere*, Press Gazette Future of Media, Feb. 14, 2025, <https://pressgazette.co.uk/platforms/news-publisher-ai-deals-lawsuits-openai-google/>. As noted in the last article, several AI companies, including OpenAI, Microsoft, and others, have also been sued where they trained on copyrighted materials without authorization.

¹⁹ Stratton, Matthew, *Market-Based Licensing of Publishers’ Works for Training Generative AI Models is Feasible*. Big Tech Agrees (Dec. 24, 2024). 48 Colum. J.L. & Arts (forthcoming 2025), available at SSRN: <https://ssrn.com/abstract=5072814> or <http://dx.doi.org/10.2139/ssrn.5072814>.

²⁰ Id.

owners and the AI development community, ensuring that, consistent with the Trump Administration priorities, “American AI technology continues to be the gold standard worldwide.”²¹ New regulations and exceptions that substitute government-ordered transfers of property would undermine a free market licensing regime. AI developers would be unable to ensure that their systems are trained on the highest quality content – in fact, several reports have noted that using synthetic content to train AI systems destroys the AI and results in “model collapse.”²² Creating regulations or exceptions that allow AI developers to take others’ copyrighted works without license would invite foreign rivals to do the same, resulting in a race to the bottom that promotes theft of American IP and creates unfair competition. American policy must promote the creation of high quality, human made content. Promoting free market licensing for AI training does exactly that.

The Plan Should Support Existing U.S. Copyright Law

Existing U.S. copyright law is sufficient to address copyright concerns arising from AI.²³ In particular, our fair use doctrine (which is unique to U.S. law and cannot and should not be exported to other countries, which do not share the same values and decades of judicial precedents) provides a manageable and nuanced approach to addressing liability for unauthorized uses of copyrighted works to train an AI system.

As noted above, one court has already ruled that fair use did not apply to the type of AI training at issue in that case.²⁴ In *Thomson Reuters Enter. Ctr. GmbH v. Ross Intel. Inc.*,²⁵ the court, applying clear and recent precedent from the U.S. Supreme Court, held that the defendant’s unauthorized use of the plaintiff’s works to train the defendant’s AI system was direct infringement and did not constitute fair use.²⁶ The Court reaffirmed that the impact of the use on existing and potential markets is the single most important element of a fair use analysis, and that there was clearly a potential market to use the materials at issue in the case to train AI.²⁷ The outcome of this decision is consistent with Supreme

²¹ J.D. Vance, *Speech at Paris AI Summit 2025*, Feb. 11, 2025; <https://www.youtube.com/watch?v=64E9O1Gv99o>.

²² See, e.g., Ben Lutkevich, *Model collapse explained: How synthetic training data breaks AI*, TechTarget, July 7, 2023, <https://www.techtarget.com/whatis/feature/Model-collapse-explained-How-synthetic-training-data-breaks-AI>; Ali Borji, *A Note on Shumailov et al. (2024): “AI Models Collapse When Trained on Recursively Generated Data,”* Arxiv.org, Oct. 24, 2024, <https://arxiv.org/abs/2410.12954>; Daniele Gambetta et al, *Characterizing Model collapse in Large Language Models Using Semantic Networks and Next-Token Probability*, Arxiv.org, Feb. 2, 2025, <https://arxiv.org/abs/2410.12341>; Elvis Dohmalob, *A Tale of Tails: Model Collapse as a Change of Scaling Laws*, Arxiv.org, May 31, 2024, <https://arxiv.org/abs/2402.07043>.

²³ For more information, please see the A2IM and RIAA Oct. 30, 2023 and Dec. 6, 2023 comments to the Copyright Office in the Matter of Artificial Intelligence and Copyright, available at <https://www.regulations.gov/comment/COLC-2023-0006-8833> and <https://www.regulations.gov/comment/COLC-2023-0006-8833> (“Copyright Office Comments”). As noted in those comments, however, depending on how the methods by which AI systems ingest copyrighted works evolve in the future, it may become necessary for Congress to consider adding a new right to Section 106 of the Copyright Act that gives a copyright owner the exclusive right to ingest a copyrighted work in an AI model or authorize others to do the same.

²⁴ *Thomson Reuters Enter. Ctr. GmbH v. Ross Intel. Inc.*

²⁵ 2025 U.S., Dist. LEXIS 249296 (Del.D.C. Feb. 11, 2025).

²⁶ Fair use is a legal defense to copyright infringement, as set forth in 17 U.S.C. § 107.

²⁷ *Id.* The Court also rejected the defendant’s argument that use for training was necessary intermediate copying, noting that “[h]ere though, there is no computer code whose underlying ideas can be reached only by copying their expression. The ‘copying is [not] reasonably necessary to achieve the user’s new purpose.’”

Court precedent on fair use.

Moreover, our Nation’s longstanding legal precedent clearly establishes that copyright should protect only human expression. The Copyright Office’s recent report on copyrightability makes clear that this settled doctrine applies equally in the context of AI.²⁸ This approach is consistent with our Constitutional values and promotes human flourishing. The Constitution only protects the rights of human beings. Machines cannot and should not have the same rights.

Maintaining these principles will lead to a robust, free market where creators are incentivized to make high quality works and AI companies are incentivized to license those works for their AI systems. For these reasons, the Plan should support existing U.S. copyright law and reject new regulations or exceptions.

The Plan Should Promote Strong Copyright Laws Abroad and Reject Text and Data Mining (TDM) Exceptions as Regulatory Overreach.

The Action Plan should promote strong copyright laws abroad that prevent use of American IP without a license, consistent with U.S. law. This means the U.S. should oppose any text and data mining (“TDM”) exceptions to copyright abroad. While some countries have enacted TDM exceptions, most were enacted before the rise of commercial generative AI and without consideration for the damage they could cause to copyright industries. Since the rise of generative AI, nearly every country that has considered a TDM exception to copyright has decided against adopting such an exception.

Unfortunately, while certain TDM exceptions might be justified for very specific types of unprotected data, bad actors are using them as a trojan horse to take American copyrighted works for free, denying American copyright holders’ compensation for use of their creations, and undermining the robust U.S. AI training data licensing market. Indeed, the first Trump Administration dismissed proposals by some stakeholders to add TDM exceptions into the USMCA. To level the playing field, deter the offshoring of AI sector investment, and prevent foreign control of American works and data, the U.S. should lead in opposing, and the Plan should oppose, TDM exceptions that include copyrighted works.²⁹ Opposing such regulatory overreach abroad and calling for their rescission where they have been adopted, will help level the playing field and secure American leadership in both AI innovation and creativity.

The Plan Should Promote Trust in AI by Encouraging Reasonable, Limited Record Keeping and Transparency

One real, practical barrier to AI adoption is the level of skepticism that end users have regarding AI. A recent survey found that only 35% of Americans trust AI companies.³⁰ The study further found that

²⁸ *Copyright and Artificial Intelligence: Part 2: Copyrightability*, U.S. Copyright Office (Jan. 2025), <https://www.copyright.gov/ai/Copyright-and-Artificial-Intelligence-Part-2-Copyrightability-Report.pdf> (confirming that copyright protects only human expression and not AI generated content, although noting, among other things, that the arrangement and selection of AI generated material may constitute sufficient human expression to merit protection for that arrangement and selection).

²⁹ Jurisdictions with some form of TDM exceptions include Japan, Singapore, and the EU.

³⁰ *2024 Edelman Trust Barometer, Supplemental Report: Insights for the Tech Sector, Top Findings*, Edelman, <https://www.edelman.com/sites/g/files/aatuss191/files/2024-03/Trust%20Tech%20Sector%20Top%20Findings.pdf>.

respondents who were “less than enthusiastic about the growing use of AI would feel better about it if they understood the technology better, they were sure that the business would thoroughly test AI, and they knew that those adversely affected would be considered.”³¹

To overcome such skepticism and build trust in AI, including trust that training materials are legitimate and high quality, the Plan should require adequate record keeping and transparency concerning AI training materials and the outputs from AI algorithms.

Consistent with the National Institute of Standards and Technology (NIST) Artificial Intelligence Risk Management Framework, AI companies should keep adequate records of the training materials used to train their AI systems and the provenance of such training materials.³² As noted by NIST, “[m]aintaining the provenance of training data and supporting attribution of the AI system’s decisions to subsets of training data can assist with both transparency and accountability.”³³

AI companies should provide the public with reasonable summaries of the works used to train their AI systems. Those publicly available summaries should include information sufficient for copyright owners to determine if their works were used for AI training without a license for such use.

AI companies should also provide more detailed information about the training data where there is a legitimate need for such information. This should include detailed disclosure about the training materials and their provenance where a copyright holder has a good faith belief that their works were used to train an AI system. Ultimately, rightsholders should have the ability to obtain information about whether their works were used to train an AI system in order to determine if their rights have been violated.

One way to address this issue is via the process set forth in the TRAIN Act,³⁴ introduced in the last Congress. The Train Act avoids regulatory measures and instead provides for a court-administered, individualized subpoena process for copyright holders to request whether their works were used to train a generative AI model if the holder has a good faith belief that their work was used. This provides due process and protection for the AI developer, with the transparency that a copyright holder requires under the law to enforce their rights. At the same time, under the TRAIN Act’s balanced approach, the developer need only reveal the training material that is “sufficient to identify with certainty” whether and what of the copyright holder’s works were used for such training. This provides an appropriate balance that is not overly burdensome on the AI developer or deployer while, at the same time, providing an avenue for a copyright holder to determine if their rights have been violated. There are no fines or penalties if the AI developer does not respond to the subpoena, but lack of a response will allow a copyright holder to proceed in court on a claim with a rebuttable

³¹ Id.

³² National Institute of Standard and Technology, *Artificial Intelligence Risk Management Framework (AI RMF 1.0)*, NIST AI 100-1, Jan. 2023, p. 16, available at <https://nvlpubs.nist.gov/nistpubs/ai/NIST.AI.100-1.pdf>.

³³ Id.

³⁴ S.5379 – TRAIN Act, 118th Congress (2023-2024), <https://www.congress.gov/bill/118th-congress/senate-bill/5379>.

presumption that a copy was made. Unique and specific solutions like the TRAIN Act that respond narrowly to specific issues avoid regulatory overreach and maintain creative incentives while allowing AI to flourish. We encourage the Trump Administration and the Plan to support the TRAIN Act when it is reintroduced in this Congress.

Regarding the outputs generated by AI, AI companies should label outputs that are generated solely by AI. Several speakers at the Senate Judiciary Subcommittee on Privacy, Technology and the Law Hearing titled *Oversight of A.I.: Rules for Artificial Intelligence*, May 16, 2023, including the CEO of OpenAI, agreed that consumers should be alerted when generative AI is used to create video or audio.³⁵ Since then, several AI companies have included watermarks, C2PA “Content Credentials,” or similar signals on output generated by their AI systems.³⁶ Such labeling builds trust in AI and in digital media more generally. The Plan should support such labeling.

The Plan Should Support Passage of a Federal Law to Protect a Person’s Voice and Likeness Rights Against Unauthorized Deepfakes.

While unauthorized AI voice and likeness cloning has had a great impact on the creative community,³⁷ the use of AI technologies to these ends has broader personal safety and national security implications. Not only are there hundreds of unauthorized AI voice and likeness models of various celebrities, one can also easily find publicly available AI voice or image models of political or corporate figures, such as President Trump,³⁸ Vice President Vance,³⁹ and Elon Musk.⁴⁰ In addition, several services and apps have recently come online where one can create an unauthorized voice or likeness clone of anyone’s voice or likeness without the need for any particular technical knowledge.⁴¹ These tools can be used by anyone to create voice or likeness models of everyday Americans – and they have been used to scam people with replicas of loved ones that sound or look eerily realistic, as well as to enable sexual exploitation and blackmail.⁴² In addition, state laws that protect voice and likeness rights are

³⁵ See *Senate hearing highlights AI Harms and need for tougher regulation*, Brookings Institute, May 17, 2023, available at <https://www.brookings.edu/blog/techtank/2023/05/17/senate-hearing-highlights-ai-harms-and-need-for-tougher-regulation/>. See also a video of the hearing, available at <https://www.c-span.org/video/?528117-1/openai-ceo-testifies-artificial-intelligence>, for example, at 47:56 and 1:18:13.

³⁶ See, e.g., Kathryn Hulick, *Google now adds watermarks to all its AI-generated content*, ScienceNewsExplores, Dec. 11, 2024, <https://www.snexplores.org/article/google-ai-watermarks>; Andy Parsons, *5-Year anniversary of the Content Authenticity Initiative: What it means and what’s ahead*, Adobe, Oct. 14, 2024, <https://blog.adobe.com/en/publish/2024/10/14/5-year-anniversary-content-authenticity-initiative-what-it-means-whats-ahead>.

³⁷ See, e.g., Kurt Knutsson, *10 celebs most targeted by malicious deepfake scams, dangerous search results*, Fox News, Oct. 29, 2024, <https://www.foxnews.com/tech/10-celebs-most-targeted-malicious-deepfake-scams-dangerous-search-results>.

³⁸ See, e.g., <https://www.weights.com/models/clm72l29i038ucctcdxuzc7iw>; <https://fakeyou.com/character/donald-trump>; and <https://www.fineshare.com/ai-voice/donald-trump.html>, among several others.

³⁹ See, e.g., https://fakeyou.com/weight/weight_r680k1h2kq83tq2m5vnb93rc/jd-vance; <https://www.jammable.com/jd-vance-nAE5x>; and <https://www.101soundboards.com/tts/1049838-jd-vance-tts-computer-ai-voice>, among others.

⁴⁰ See, e.g., <https://www.weights.com/models/cm3rf83nr0u6txbl8pc0mn52o>; <https://www.fineshare.com/ai-voice/elon-musk.html>; and <https://lalals.com/voice/elon-musk>, among several others.

⁴¹ See, e.g., <https://beta.elevenlabs.io/>; <https://voice.ai/voice-cloning>; <https://musicfy.lol/>; etc.

⁴² See, e.g., Audrey Conklin, *Parents warned of disturbing kidnapping scheme using kids’ voice replicas*, Fox News, Oct. 11,

inconsistent and difficult for AI developers to follow. We need a consistent federal law that protects personal rights, promotes free speech, and allows AI companies to flourish at the same time.

To combat these harms while adhering to these principles, the Trump Administration and the Plan should support the NO FAKES Act, a bipartisan bicameral bill introduced in the last Congress.⁴³ This legislation would provide certainty by creating a national floor that protects a person's voice and likeness rights as they relate to digital replicas and gives victims meaningful redress for unauthorized digital uses while reserving appropriate First Amendment protections.

We appreciate the opportunity to share these recommendations with you and look forward to working with the Administration on the Plan.

Respectfully Submitted,

/Victoria Sheckler/

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2024, <https://www.foxnews.com/us/parents-warned-disturbing-kidnapping-scheme-using-kids-voice-replicas>; Jamie Joseph, *Scams targeting older Americans, many using AI, caused over \$1 billion in losses in 2022*, Fox News, Nov. 19, 2023, <https://www.foxnews.com/politics/scams-targeting-older-americans-most-using-ai-caused-1-billion-losses-2022>.

⁴³ See <https://www.congress.gov/bill/118th-congress/senate-bill/4875> and <https://www.congress.gov/bill/118th-congress/house-bill/9551>.

Exhibit A - Signatories

American Association of Independent Music. The American Association of Independent Music (A2IM) is a 501(c)(6) not-for-profit trade organization headquartered in New York City that exists to support and strengthen the independent recorded music sector and the value of recorded music copyrights. Membership currently includes a broad coalition of hundreds of independently owned American music labels. A2IM represents these independently owned small- and medium-sized enterprises' interests in the marketplace, in the media, on Capitol Hill, and as part of the global music community. In doing so, it supports a key segment of America's creative class that represents America's diverse musical and cultural heritage. Billboard Magazine identified the independent music label sector as over 40 percent of the music industry's global recorded music revenue in 2020 based on copyright ownership.

American Federation of Musicians of the United States and Canada. The American Federation of Musicians of the United States and Canada is an AFL-CIO affiliated labor union representing 70,000 professional musicians in the United States and Canada.

Artist Rights Alliance. The Artist Rights Alliance (ARA) is an artist-run non-profit that advocates for musical artists, songwriters, and performers to be treated and paid fairly in today's complex marketplace. ARA's Board of Directors is comprised of musicians and music professionals, and its 100-member Music Council is chaired by Rosanne Cash, one of ARA's founders. Working on issues ranging from artificial intelligence to performance royalties to freedom of expression, ARA focuses on principles of transparency and agency, fighting to ensure that artists have a seat at the table in policy discussions that impact their lives and livelihoods.

Department for Professional Employees, AFL-CIO. The Department for Professional Employees, AFL-CIO (DPE) is a coalition of 24 unions representing over four million professional and technical union members. DPE affiliate unions represent professionals in over 300 occupations in education and healthcare; science, engineering, and technology; legal, business, and management; media, entertainment, and the arts; and public administration.

The International Alliance of Theatrical Stage Employees. The International Alliance of Theatrical Stage Employees (IATSE) is a labor organization representing over 170,000 members in the United States and Canada working in all forms of live theater, motion picture and television production, trade shows and exhibitions, television broadcasting, and concerts as well as the equipment and construction shops that support all these areas of the entertainment industry. IATSE represents virtually all the behind-the-scenes workers in crafts such as motion picture animator, cinematographer, motion picture editor, visual effects, studio mechanic, wardrobe, set design, stagehand, and dozens more.

The Nashville Songwriters Association International. The Nashville Songwriters Association International (NSAI) is the world's largest not-for-profit trade association for songwriters. NSAI was founded in 1967 by 42 songwriters including Eddie Miller, Marjohn Wilkin, Kris Kristofferson, Felice and Boudleaux Bryant, and Liz and Casey Anderson as an advocacy organization for songwriters and composers. NSAI has around 5,000 members and nearly 100 chapters in the United States and abroad. NSAI is dedicated to protecting the rights of songwriters in all genres of music and addressing needs

unique to the songwriting profession. The association, governed by a Board of Directors composed entirely of professional songwriters, features a number of programs and services designed to provide education and career opportunities for songwriters at every level. NSAI owns The Bluebird Cafe, a legendary songwriter performance venue in Nashville, Tennessee. The Music Mill, at 1710 Roy Acuff Place in Nashville, where the careers of Alabama, Reba McEntire, Toby Keith, Shania Twain, and Billy Ray Cyrus were launched, serves as NSAI's headquarters.

National Music Publishers' Association. The National Music Publishers' Association (NMPA) is the principal trade association representing the U.S. music publishing and songwriting industry. NMPA represents publishers and songwriters of all catalog and revenue sizes, from large international corporations to small businesses and individuals. Taken together, compositions owned or controlled by NMPA members account for the vast majority of the market for musical composition licensing in the United States. NMPA protects and advances the interests of music publishers and songwriters in matters relating to both the domestic and global protection of music copyrights before the legislative, judicial, and executive branches of the U.S. government.

Recording Academy. Internationally known for the GRAMMY Awards, the Recording Academy (Academy) is the only music trade association that represents all music professionals and has long been working to protect the rights of all music makers including artists, performers, songwriters, composers, and studio professionals. The Academy's thousands of members span all genres, regions, and career levels, and include thousands of independent music makers.

Recording Industry Association of America. The Recording Industry Association of America (RIAA) is the trade organization that supports and promotes the creative and commercial vitality of music labels in the United States, the most vibrant recorded music community in the world. Its membership – which includes several hundred companies, ranging from small-to-medium-sized enterprises to global businesses – creates, manufactures, and/or distributes sound recordings representing the majority of all lawful recorded music consumption in the United States. In support of its mission, the RIAA works to protect the intellectual property and First Amendment rights of artists and music labels; conducts consumer, industry, and technical research; and monitors and reviews state and federal laws, regulations, and policies.

Screen Actors Guild-American Federation of Television and Radio Artists. The Screen Actors Guild-American Federation of Television and Radio Artists (SAG-AFTRA) represents approximately 160,000 actors, announcers, broadcast journalists, dancers, DJs, news writers, news editors, program hosts, puppeteers, recording artists, singers, stunt performers, voiceover artists, influencers, and other entertainment and media professionals. SAG-AFTRA members are the people who entertain and inform America and the world. A proud affiliate of the AFL-CIO, SAG-AFTRA has national offices in Los Angeles and New York and local offices nationwide representing members working together to secure the strongest protections for entertainment and media artists in the 21st century and beyond.